

PATENT
Docket No: ST03005CIP (SIRF.54USCIP1)
Serial No.: 10/700,821

REMARKS

STATUS SUMMARY

Claims 1-41 are pending in the present application. Claim 4 has been amended. No claims have been canceled. Claim 25 has been indicated to be allowable. Applicants have considered the above-identified Office Action and cited references, and reply as set forth below in order to place the application in condition for allowance.

CLAIM OBJECTION

The Office Action objects to claim 4, as "and" at line 3 needs to be replaced by -- any --. This amendment has now been made, and the objection is overcome.

CLAIM REJECTION - 35 U.S.C. § 102

Claims 1-3, 6, 8, 10, 12, 13, 14, 17, 31-33, 36, 38, and 40 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Fuchs et al., U.S. Patent No. 6,453,237 (Fuchs). Applicants respectfully traverse this rejection, in view of the discussion below.

Fuchs discloses a method and apparatus that comprises at least one mobile device containing global positioning system (GPS) processing elements, a GPS reference network comprising a plurality of fixed site GPS receivers at known locations, a position server with software that executes GPS processing algorithms, a wireless communications link, and at least one location requester. Col. 1, lines 61-67. Fuchs further discloses a "Stored Almanac Mode" at

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col. 14, line 65 – col. 15, line 39. Fuchs discloses that the Stored Almanac Mode uses a stored almanac model to provide initialization information to accelerate signal detection in the mobile device. Fuchs teaches that the position server sends the rough user position and a server time estimate to the GPS processing in the mobile device. Fuchs fails to disclose and fails to suggest the use by a mobile station of satellite sub-almanacs to calculate a coarse position of the mobile station.

Accordingly, Fuchs fails to disclose and fails to suggest the satellite based positioning method of pending claim 1, the mobile station using satellite sub-almanacs to calculate a coarse position of the mobile station; and the mobile station transmitting the coarse position to a network. Further, Fuchs fails to disclose and fails to suggest the satellite based positioning system of pending claim 12, comprising a mobile station comprising a CPU configured to calculate a coarse position using satellite sub-almanac data; and comprising a transceiver configured to transmit the coarse position to a network. Additionally, Fuchs fails to disclose and fails to suggest the machine-readable medium of claim 31 having instructions stored thereon which causes a processor to perform a satellite positioning process that comprises using satellite sub-almanacs to calculate a coarse position of a mobile station; and transmitting the coarse position to a network.

In view of the foregoing, Applicants respectfully submit that claims 1-3, 6, 8, 10, 12, 13, 14, 17, 31-33, 36, 38, and 40 are patentable over Fuchs. Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 102 be withdrawn.

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CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 7, 18 and 37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fuchs in view of Dooley et al., U.S. Published Patent Application No. 2003/1212487 [sic] (Dooley). Note: the correct serial number for Dooley is 2003/212487, as confirmed by the form PTO-892 attached to the Office Action. Applicants respectfully traverse this rejection, in view of the discussion of Fuchs above and the further discussion below.

Claim 7 indirectly depends from claim 1; claim 18 indirectly depends from claim 12; and claim 37 indirectly depends from claim 31. The above discussion of Fuchs is fully applicable and is repeated here. Dooley relates to a method of determining the position of a mobile unit comprising a GPS receiver. Dooley fails to disclose and fails to suggest the use by a mobile station of satellite sub-almanacs to calculate a coarse position of the mobile station.

In view of the foregoing, Applicants respectfully submit that claims 7, 18 and 37 are patentable over Fuchs and Dooley, taken alone or in combination. Therefore, Applicants respectfully request that this rejection under 35 U.S.C. § 103 be withdrawn.

Claims 9, 11, 39 and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fuchs in view of Vayanos et al., U.S. Patent No. 6,429,809 (Vayanos). Applicants respectfully traverse this rejection, in view of the discussion below.

Claims 9 and 11 both indirectly depend from claim 1; and claims 39 and 41 both indirectly depend from claim 31. The above discussion of Fuchs is fully applicable and is repeated here. Vayanos relates to a method and apparatus said to enable corrections to the coarse position estimate of a pseudorange receiving device to be made at a remote location at which more accurate information is available. Col. 2, lines 13-16. Vayanos fails to disclose and fails to

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suggest the use by a mobile station of satellite sub-almanacs to calculate a coarse position of the mobile station.

In view of the foregoing, Applicants respectfully submit that claims 9, 11, 39 and 41 are patentable over Fuchs and Vayanos, taken alone or in combination. Therefore, Applicants respectfully request that this rejection under 35 U.S.C. § 103 be withdrawn.

CLAIM REJECTIONS – DOUBLE PATENTING

Claims 1, 3-8, 10-19, 21-24, 26, 27, 31, 33-38, 40 and 41 are rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1-17 of Garin et al., U.S. Patent No. 6,671,620 (Garin). Claims 2 and 32 are rejected under the judicially-created doctrine of obviousness-type double patenting over claim 1 of Garin, in view of Fuchs. Claims 9, 20 and 39 are rejected under the judicially-created doctrine of obviousness-type double patenting over claim 1 of Garin, in view of Vayanos. Claims 28, 29 and 30 are rejected under the judicially-created doctrine of obviousness-type double patenting over claim 1 of Garin, in view of Jandrell U.S. Published Patent Application No. 2003/0013170 [sic] (Jandrell). Note: the correct application serial number for Jandrell is 2003/0016170, as confirmed by the form PTO-892 attached to the Office Action. Applicants respectfully traverse these rejections in view of the discussion below, and request that they now be withdrawn.

The pending claims, as well as the claims of Garin, address the topic of use of satellite sub-almanacs by a mobile station. However, each of the pending independent claims 1, 12, 23, 26, 28 and 31 recites particular limitations which are not recited in the claims of Garin. That both sets of claims address the topic of the use of satellite sub-almanacs by a mobile station is

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not grounds for obviousness-type double patenting rejections. Applicants will reconsider the appropriateness of any potential terminal disclaimer upon receipt of an indication of further allowable claims.

Jandrell relates to a method for processing positioning signals in a ranging receiver in a geometric mode. Jandrell fails to disclose and fails to suggest a mobile station determining whether any sub-almanacs associated with a particular satellites are older than a predetermined maximum age.

ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation, the indication that claim 25 is allowable.

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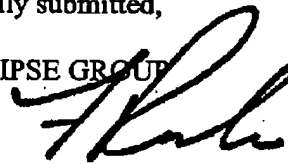
CONCLUSION

In light of the above remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Respectfully submitted,

THE ECLIPSE GROUP



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